

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 7/24/2020

PRCM ADVISERS LLC,

Plaintiff,

v.

TWO HARBORS INVESTMENT CORP.,

Defendant.

No. 20-CV-5649

ORDER

This matter is before the Court on Plaintiff, PRCM Advisers LLC's ("Pine River's") motion for leave to file an unredacted Complaint under seal and to file the redacted Complaint on the public docket. The motion is **GRANTED** as follows:

IT IS ORDERED that an unredacted version of the Complaint filed by Plaintiff on July 21, 2020 shall be temporarily filed under seal in the Court's electronic case file in connection with this matter, at least until such time as Defendant Two Harbors Investment Corp. ("Two Harbors") enters an appearance and the parties file the joint letter described below.

IT IS FURTHER ORDERED that this unredacted Complaint shall be accessible to the attorneys of record in this case, the Court, and Court personnel.


IT IS FURTHER ORDERED that the redacted Complaint shall be filed in the public record in this case no later than July 27, 2020.

IT IS FURTHER ORDERED that within one week after Two Harbors enters an appearance, the parties shall file a joint letter stating which, if any, redactions to the Complaint they believe are necessary. For each proposed redaction, the parties shall provide a justification for overcoming the

“common law right of public access to judicial documents.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119 (2d Cir. 2006). The parties are advised that the mere fact that certain information is governed by a confidentiality provision in the parties’ Management Agreement is “insufficient to demonstrate that sealing is necessary.” *Eagle Star Ins. Co. v. Arrowood Indem. Co.*, No. 13 CV 3410 HB, 2013 WL 5322573, at *3 (S.D.N.Y. Sept. 23, 2013) (citation omitted). “Significantly, not everything that a business would rather keep secret qualifies as the sort of information that the Federal Rules allow a litigant to keep secret.” *Saks Inc. v. Attachmate Corp.*, No. 14 CIV. 4902 CM, 2015 WL 1841136, at *17 (S.D.N.Y. Apr. 17, 2015).

SO ORDERED.

Dated: July 24, 2020
New York, New York



Ronnie Abrams
United States District Judge